

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

FILED

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2004 JUN 21 P 2:30

C.A. NO. 04 CV 10387 MEL
U.S. DISTRICT COURT
DISTRICT OF MASS.

ARTHUR BERRIMAN,)	
Plaintiff,)	
)	
v.)	F.R.P. 26(a)(1) and L.R. 26.2(A)
)	Disclosures of Plaintiff
)	
MCL ASSOCIATES, INC.,)	
Defendant.)	
)	

Pursuant to the requirements of F.R.P. 26(a)(1) and L.R. 26.2(A), Plaintiff's initial discovery disclosure is as follows:

A. Individuals Likely to Have Discoverable Information

- a. Arthur Berriman, 3 Hazelton Road, Barrington, RI.
- b. Michael Carlucci, MCL Associates, Inc.
- c. Laura Quinlan, 196 Chapel Street, Abington, MA 02351.
- d. Scott Hefter, 10 Mayflower Road, Needham, MA 02492.
- e. John Sganga, Consolidated Furniture, address to be supplemented.
- f. Kathleen Carlucci, address to be supplemented.

B. Identification of Documents in the Possession of the Plaintiff Relative to the Allegations Contained in Plaintiff's Complaint

- a. Simple Fee Agreement for Recovery of Funds with Consolidated Furniture Corp., dated August 2, 2002.
- b. Limited Power of Attorney for Recovery of Funds, dated August 2, 2002.
- c. MCL correspondence to Arthur Berriman dated January 10, 2003.
- d. Memorandum from Arthur Berriman to Defendant dated January 31, 2001.
- e. Correspondence from Goodman, Greenzang & Hurwitz to Arthur Berriman dated December 22, 2003.

- f. Facsimile from Arthur Berriman to John B. Spanga dated Decemebr 15, 2003.
- g. Account printout statement dated December 4, 2002.
- h. Memorandum from Arthur Berriman to Defendant dated July 26, 2001.
- i. Correspondence from Arthur Berriman to Defendant dated December 12, 2003.

C. Damages

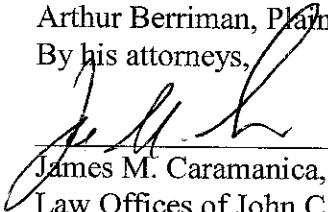
Plaintiff computes his lost wages as approximately \$75,104.15. This is based on commission due on the Consolidated Furniture contract of approximately \$53,645.82 and the 10% bonus on the same, in the amount of \$21,458.33.

Plaintiff identifies the documents supporting his damages as the contract with Consolidated Furniture. The aforementioned documents are available for inspection and copying.

D. Insurance Coverage

Not applicable.

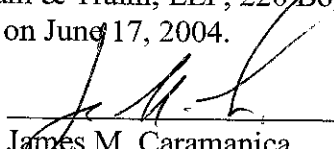
Arthur Berriman, Plaintiff
By his attorneys,


James M. Caramanica, BBO #565882
Law Offices of John C. Carleen, P.C.
Corporate Center North
1711 Broadway
Saugus, MA 01906
(781) 233-2299

Dated: June 17, 2004

CERTIFICATE OF SERVICE

I, James M. Caramanica, certify that a true copy of the foregoing was served upon defendant's counsel, Rosemary Traini, Esq., Van Dam & Traini, LLP, 220 Boylston Street, Chestnut Hill, MA 02467 via first class mail on June 17, 2004.


James M. Caramanica

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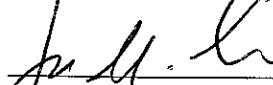
ARTHUR BERRIMAN,
Plaintiff,
v.
MCL ASSOCIATES, INC.,
Defendant.

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(d)(3)


This certifies that plaintiff's counsel and the plaintiff have conferred with respect to:

- (a) a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- (b) considering the resolution of the litigation through the use of alternative dispute resolution programs such as those outlines in Local Rule 16.4.

Counsel for Plaintiff


James M. Caramanica, BBO #565882
Law Offices of John C. Carleen, P.C.
1711 Broadway
Saugus, MA 01906
(781) 233-2299

Plaintiff, Arthur Berriman


Arthur Berriman

Dated: June 14, 2004

Dated: June 14, 2004